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Attorney's Docket No. PP17201.003 (035784/240412)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Shirley *et al.* Confirmation No.: 3374
Appl. No.: 10/035,397 Group Art Unit: 1646
Filed: October 25, 2001 Examiner: Janet L. Andres
For: HSA-FORMULATIONS OF INTERFERON-BETA

January 23, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Sir:

Attached is a list of documents on form PTO-1449 together with copies of each identified document. Also enclosed is a translation or a concise explanation of each non-English language document.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Applicants note that WO 89/05158 listed as Cite No. 33 is related to U.S. Patent No. 5,004,605 (Cite No. 8 on the PTO Form 1449 of the Information Disclosure Statement filed May 17, 2002); and CA 2,304,808 listed as Cite No. 37 is an English equivalent of WO 99/15193 (Cite No. 29 on the PTO Form 1449 of the Information Disclosure Statement filed December 13, 2002).

Applicants wish to bring to the Examiner's attention WO 99/51272 listed as Cite No. 35. This published PCT International Application corresponds to copending U.S. Patent Application No. 09/285,429, filed April 2, 1999.

01/28/2004 HGUENA1 00000103 10035397

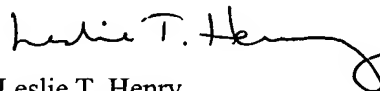
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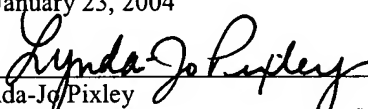
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This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier. A check for the \$180.00 fee specified in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is authorized to charge any additional fee, or credit any refund, to our Deposit Account No. 16-0605.

Respectfully submitted,



Leslie T. Henry
Registration No. 45,714

CUSTOMER NO. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 23, 2004</p>  Lynda-Jo Pixley
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Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/035,397
Filing Date	October 25, 2001
First Named Inventor	Shirley
Group Art Unit	1646
Examiner Name	Janet L. Andres
Attorney Docket Number	PP17201.003 (035784/240412)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	32	WO 89/02750	04-06-1989	Cetus Corporation		
	33	WO 89/05158	06-15-1989	Cetus Corporation		
	34	WO 98/28007	07-02-1998	Biogen, Inc.		
	35	WO 99/51272	10-14-1999	Chiron Corporation		
	36	EP 0 284 249	09-28-1988	Interferon Sciences, Inc.		
	37	CA 2,304,808	09-23-1997	Dr. Rentschler Biotechnologie GMBH & Co. KG, DE		

OTHER DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) , volume-issue number(s), publisher, city and/or country where published.	T

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.